

AMENDED IN SENATE APRIL 28, 2005

SENATE BILL

No. 256

Introduced by Senator Speier

February 15, 2005

An act to add Section ~~409.12~~ 343 to the Military and Veterans Code, relating to military benefits, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 256, as amended, Speier. California National Guard: life insurance *premium reimbursement*.

Existing law establishes the active state militia, which consists of the State Military Reserve, the Naval Militia, and the National Guard. Existing law provides compensation and various benefits to members of the active state militia.

This bill would require the Military Department to reimburse a member of the California National Guard ordered to active duty in the federal military for the cost, not to exceed a specified amount, incurred by that member for purchasing a life insurance policy under either of 2 specified programs. This bill would continuously appropriate moneys from the General Fund to the Military Department to make these reimbursements, as specified.

~~Existing law provides certain protection and benefits for members of the National Guard and reservists called to active duty, as specified, during the period of military service, with respect to, among other things, court proceedings, contract obligations, rental agreements, taxes or assessments, and health or medical insurance.~~

~~This bill, for the 2005-06 fiscal year and each fiscal year thereafter, would additionally require the State of California to pay for life insurance for every qualified active duty member of the California~~

~~National Guard, as defined, in a policy amount of \$250,000, as provided.~~

~~This bill would continuously appropriate moneys from the General Fund to a state agency to pay for life insurance of every qualified active duty member of the California National Guard, as defined.~~

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. *The Legislature finds and declares all of the*
2 *following:*
- 3 (a) *The California National Guard is a federally recognized*
4 *military organization in California that serves essential public*
5 *safety purposes and routinely supports local authorities in*
6 *protecting the lives and property of the people of the state during*
7 *periods of natural disaster and civil disturbance, and provides*
8 *homeland security.*
- 9 (b) *The California National Guard is routinely asked by the*
10 *President to perform dangerous duties in armed conflicts,*
11 *contingency operations, mobilizations, war, and other*
12 *emergencies of national significance.*
- 13 (c) *The California National Guard has a proud tradition of*
14 *federal military service where thousands of Californians have*
15 *answered the call to duty and served proudly, and thousands*
16 *more continue to serve their nation at home and abroad.*
- 17 (d) *The families of the members of the California National*
18 *Guard endure extraordinary hardships when the members are*
19 *called to duty by the President, and also suffer irreparable harm*
20 *when the members die or are killed in the performance of active*
21 *duty.*
- 22 (e) *There have been instances in which families of members of*
23 *the California National Guard have been left without adequate*
24 *financial resources when members of the California National*
25 *Guard are killed in the line of duty.*
- 26 (f) *The Legislature finds and declares that providing relief to*
27 *surviving families of members of the California National Guard*
28 *who die or are killed in the line of duty furthers a necessary*
29 *public purpose.*

1 *SEC. 2. Section 343 is added to the Military and Veterans*
2 *Code, to read:*

3 343. (a) *A member of the California National Guard ordered*
4 *to active duty by the federal government shall receive*
5 *reimbursement from the Military Department for the cost*
6 *incurred by that member on and after January 1, 2005, for*
7 *purchasing a life insurance policy, not to exceed seventeen*
8 *dollars (\$17) per month, under either of the following programs:*

9 (1) *The Servicemembers' Group Life Insurance program (Title*
10 *38 U.S.C. Section 1965 and following).*

11 (2) *A group life insurance program sponsored by the Military*
12 *Department, or by the National Guard Association of California,*
13 *under which the member of the California National Guard may*
14 *make allotments from the member's salary for the payment of*
15 *premiums as authorized by Section 707 of Title 37 of the United*
16 *States Code.*

17 (b) *The Military Department may promulgate regulations to*
18 *determine eligibility and provide the monthly reimbursements*
19 *required by this section.*

20 (c) *Notwithstanding Section 13340 of the Government Code,*
21 *moneys from the General Fund, in an amount necessary to make*
22 *the reimbursements required by subdivision (a), shall be*
23 *continuously appropriated, without regard to fiscal years, to the*
24 *Military Department to make the reimbursements required by*
25 *subdivision (a).*

26 ~~SECTION 1. Section 409.12 is added to the Military and~~
27 ~~Veterans Code, to read:~~

28 ~~409.12. (a) Commencing on January 1, 2006, for the 2005-06~~
29 ~~fiscal year and each fiscal year thereafter, the State of California~~
30 ~~shall pay for life insurance for every qualified active duty~~
31 ~~member of the California National Guard in a policy amount of~~
32 ~~two hundred fifty thousand dollars (\$250,000) per member.~~

33 ~~(b) The insurance shall be purchased through the~~
34 ~~Servicemembers' Group Life Insurance program.~~

35 ~~(c) "Qualified active duty member" means a qualified active~~
36 ~~duty member, as defined for purposes of the Servicemembers'~~
37 ~~Group Life Insurance program.~~

38 ~~(d) Notwithstanding Section 13340 of the Government Code,~~
39 ~~moneys from the General Fund, in the amount necessary to pay~~
40 ~~for the life insurance premiums of active duty members as~~

~~1 provided in this section, shall be continuously appropriated,
2 without regard to fiscal years, to a state entity to be expended
3 exclusively for the purchase of life insurance for every active
4 duty member of the California National Guard.~~

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